

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH GEORGIA

David Sutherland Petitioner )  
Plaintiff Private Attorney, )  
General, )  
)  
)  
)  
v. )  
)  
Chatham county )  
District Attorney, Larry )  
Chisolm Individually and )  
Professionally )  
)  
Public Defenders office, )  
Director, Michael Edwards, )  
Assistant Public Defender )  
June Fogle. )  
)  
Assistant District Attorneys, )  
Esabel M. Pauley, )  
Anna Gaurdina ,Individually )  
and Professionally )  
)  
Savannah-Chatham- Police )  
Department. SGT. Ernst )  
Gregory, )  
OFC. David. Hendricks, DET. )  
Puhala, DET. C. Medina )  
Individually& Professionally )  
)  
)  
CSX Corporation )  
Individually and Professionally )  
)  
CSX Employees )  
George Mullis, Larry Snipes )  
)  
David Zeigler, William T, Moore )  
Individually and Professionally )  
)

CASE NO.

VERIFIED COMPLAINT

Suit-in-Equity for;  
Cause of Action # 1 Civil **RICO**;

**CV 4 12 - 239**

Cause of Action #2 Violation of Civil  
Rights under Color of State Law

( 42USC 1983, 1985,1986)  
(18USC 241, 18USC 242)

Cause of Action # 3. Criminal  
Indictment

**18 USC 241/242**

FILED  
U.S. DISTRICT COURT  
SAVANNAH, GA.  
2012 SEP 19 PM 3:17  
CLERK  
SOUTHERN DISTRICT OF GEORGIA

NorthFork Southern Rail Road	)	Request for Injunctive an Declaratory
Corporation, Individually ,and	)	
Professionally	)	Relief, Trial By Jury
	)	
Employee A. Pauley Individually	)	
And Professionally	)	
	)	
Savannah Recycling Michael	)	
Jarrell,	)	
Individually and Professionally	)	
Respondents, Defendants	)	

**COMPLAINT and MOTION FOR MONETARY AND PUNITIVE DAMAGES**

**INJUNCTIVE AND PERFORMANCE RELIEF**

COMES NOW, PLAINTIFF DAVID SUTHERLAND, PRO SE, AND FOR COMPLAINT STATES AS FOLLOWS:

**JURISDICTION**

1) THIS COURT HAS SUBJECT MATTER JURISDICTION UNDER THE LAWS OF THE UNITED STATES OF AMERICA ,ARTICLE 111., 2,US CONSTITUTION,42 U.S.C. 1983,1985 AND 1986(FAILURE TO PREVENT) AS CONFERRED BY THE U.S. CONSTITUTION 28 USC 1331 AND 1343 UNDER THE 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 14<sup>th</sup>, and 8<sup>th</sup> AMENDMENTS .THIS ACTION INVOLVES CONSTITUTIONAL QUESTIONS ,AND JURISDICTION IS SUPPLEMENTED BY 28USC 1367(a) AND CHALLENGES THE CONSTITUTIONAL VIOLATIONS AND FEDERAL LAW ,PROCEDURE AND PRACTICE BY STATE OFFICIALS. PLAINTIFF ALSO BRINGS THIS ACTION THROUGH{CIVIL RICO STATUTE}.(18USC241 AND

18USC242) THIS COURT HAS JURISDICTION UNDER 28 USC 1331.

2). THIS ACTION IS BROUGHT WITHIN THE TIME CONSTRAINTS OF 42USC 1983 AND PARTICULARLY UNDER THE CONTINUING ORGANIZATIONAL COMPLICITY AND FRAUD SCOPE,CENTRAL TO This COMPLAINT.

THE ASSERTED RIGHTS AND DAMAGES FOR THIS CASE EXCEED \$ 10,000,000,00,EXCLUSIVE OF COSTS.IN ADDITION, PLAINTIFF BRINGS A CRIMINAL INDICTMENT AGAINST THE DEFENDANTS NAMED HEREIN IN HIS CAPACITY AS PRIVATE ATTORNEY GENERAL FOR THERE VIOLATION OF TITLE 18-CFR 241/242, AND CLAIMS ADDITIONAL AUTHERITIES UNDER 18USC 1951(B)(2),18 USC 1962(C) 18 USC 1341,18 USC 1343 AND 18 USC 1621 AS PLEADED AGAINST THE DEFENDANTS NAMED HERE IN.

### VENUE

3. VENUE IS PROPER BECAUSE INDIVIUAL PARTIES ARE (OR WERE AT THE TIME) REDSIDENTS AND CITIZENS OF THE STATE OF GEORGIA AND THE UNITED STATES.

### PARTIES

#### PLAINTIFF

4) DAVID SUTHERLAND IS A CITIZEN OF THE UNITED STATES AND OF CHATHAM COUNTY GEORGIA ,AT post Office Box 7222 GARDEN CITY,GEORGIA 31418

**DEFENDENTS**

5) Larry Chisholm Anna Guardino, Isabel M. Pauley, Post Office Box 2309 133 Montgomery Street ,room 600 Savannah Georgia 31402

6) Savannah -Chatham Police Department SGT Ernest Gregory, OFC. David Hendrix. Det. Puhula, Det. C. Medina 201 Habersham Street Savannah Georgia 31412.

7) Public Defender Office Michael Edwards, June Fogle, 540 Oglethorpe Ave. Savannah Georgia 31401

8) CSX Corporation, Tremont RD. Larry Sipes, George Mullis, David Zeigler, 3021 Tremont RD. Savannah Georgia 31405,  
William Tommy Moore, P O Box drawer 1569 Waycross Georgia 31502.

9) North Fork Southern ;A. Pauley Charlie Gay dr. Savannah Georgia 31408.

Savannah recycling Michael Jarrell 4405 Tremont rd. Savannah Georgia 31415.

**Specific Charges against Government official by group**

10) Defendant Judicial Officers, each of them and them all, hereinafter referred to as "attorneys" ,et al, having a superior knowledge of the law and a high standard of the law Confirmed by their oath of office, did by one and all, brought false actions against Plaintiff Enumerated herein, in conspiracy with private Citizens, these defendant ( attorneys) Police officers, and Citizens all of them in each and every cause of action herein of this action, KNOWINGLY caused damages and deprivation and neglected and failed to correct or prevent the wrongs pursuant to Title 42 U.S.C.A., 1986

11) "Agency" means ( 1) a court of the United STATES; took rights from **Plaintiff** herein .

**Plaintiff's rights and liberty, by means of illegal compulsion or oppressive exaction,**

**Compelling judgments on PLAINTIFF, by color of Defendant's office as Judicial**

Officers in conspiracy with defendant attorneys as OFFICERS of the court in same Bar Association.

12) Plaintiff relied upon Defendants veracity and honesty when entering a plea, and was Surprised by the fraud and secret and Undisclosed Jurisdiction foreign to the Common LAW guaranteed to the states by the United States Constitution.

13) Defendants police officers, hereinafter referred to as "cops" operating under arms in Color of Authority, conferred by Color of Law, and each and every one of them above Titled knowingly and willingly acted in concert and conspiracy with Defendant Attorneys, Legal Assistants, Corporations, and private Citizens in behalf of defendant "Persons" to Deprive constitutionally guaranteed RIGHTS of the Plaintiff.

14) These acts were committed in high knowledge of the Law. Evidenced by each and every "cops" Oath of Office and exacerbated by presentation and threatened use of Dangerous weapons, intimidation, duress, fraud and mayhem, when each and every one Of the above titled Defendant "cops" went **in disguise** as Police Officers upon the Highways and on the premises of another with the expressed purpose and intent of Depriving Plaintiff of constitutionally guaranteed rights at Amendment 4,5,6,8, & 14 Of the United States Constitution, and Article 1 section 1 through 10 of the Georgia Constitution

**Nature of the case**

15) This complaint arises from knowing, intentional and unlawful deprivations of Plaintiff's **Constitutionally guaranteed Rights in Color of Authority and Color of STATE Law**, In violation of 42 U.S.C 1983. These deprivations committed **in conspiracy**, by agreement and a meeting of the minds between and among Defendants violates 42 U.S.C

1985. Each Defendant **witnessing the wrongs** committed having a **duty to protect and Defend the Constitution of the** United States, and having the ability to **prevent or Correct** those wrongs, did **neglect or refuse to correct or report** said wrongs as required By law, and/or conspired to advance or conceal the **deprivations herein enumerated**, so Doing intentionally and in a high knowledge and responsibility of law are therefore in Unlawful violation of 42 U.S.C. 1986.

16) The deprivations herein enumerated are exacerbated by Defendant's intentional and Knowing **perjury and subornation to perjury**, in violation 18 U.S.C 1621 & 1622.

17) Defendants action with **Deliberant acts and Purposeful Intent**, in a conspiracy ,and **Extortion in Color of Authority** pursuant to 18 U.S.C. 872 and committing perjured Testimony and official documents pursuant to 18 U.S.C. 1001.

18) The deprivations , deliberant indifference, of Plaintiff's Constitutionally secured rights Enumerated herein in part, subject to amendment, being committed **in color of Authority** And under Color of State Law by actors **sworn to uphold the Constitution of The United States of America and the Georgia Constitution**, the judicial Canon and the Codes of Professional Responsibility or Ethical Rules, Canons or 'Considerations' are Further aggravated by the MATERIAL FACT that these Actors willingly and knowingly Joined in **conspiracy** and through a **Meeting of the minds** and mutual agreement to **Deprive** which defines a **conspiracy against rights** pursuant to 18 U.S.C. 241&242 and Has caused Plaintiff Damages including but not limited to, false arrest. Wrongful detention and incarceration ,loss of income, public slander and libel, continuing mental Anguish, physical harm and pain and associated chronic suffering.

19) Defendants unlawful actions have caused Plaintiff, David Richard Sutherland damages from which Plaintiff seeks relief from the Honorable Court.

Complaint

**20) CLAIM 1 - Unlawful Arrest**

Denial of Due Process of law, Denial of Equal Application of the Law, Denial of Equal Protection of the law during a Violent Felony and Abduction of plaintiff.

Claim #1 Facts: On or about 2 May 2007 at approximately 10:30 AM North fork Southern Employee A. Pauley action as a police officer and CSX employee George Mullis, did unlawfully ARREST Plaintiff by threatened use of ARMED "force of arms" in conspiracy To deprive Plaintiff of the Constitutionally secured Right to be free from Unlawful Arrest, Search and Seizure.

**21) CLAIM II - DEFENDANT RAIL ROAD POLICE ARMED ASSAULT**

In violation of 18 U.S.C. 241-242 & 42 U.S.C. 1983

Claim #2 Defendant A. Pauley as rail road police officer acting on behalf of CSX Corporation, did unlawfully knowingly and intentionally subject Plaintiff to Armed Assault By threatened use of force in COLOR OF AUTHORITY and color of STATE Law.

**22) CLAIM 111; Aiding and Abetting a Forcible Kidnapping**

\_\_\_ by Color of Authority to Deny Constitutional Rights

Claim # 3 Defendant (cops) conspired with A. Pauley and CSX employees to arrest Detain and unlawfully incarcerate in the Chatham County Detention Center, in joining In a conspiracy in order to create a artifice of theft..

**23) CLAIM # IV Denial of Due Process and Failure to Prevent**

Claim 4: Defendant (cops), witnessing the deprivation of Plaintiff's Rights, did fail Or neglect to prevent or correct those wrongs when it was within their power and each Defendant (cop) had a responsibility and duty to protect and defend the Constitution.

**24) CLAIM V Denial of Equal Protection and Due Process**

Denial of access to the Court

Claim # 5 Defendant (cops) all did unlawfully and knowingly subject Plaintiff, the victim, to a deprivation of the Constitutionally secured Right to Due Process of Law when said (cops) did unlawfully kidnap Plaintiff without presentation before a Judge or Magistrate of Competent jurisdiction.

**25) CLAIM VI Denial of Equal Protection, Due Process and Search and Seizure**

Claim# 6 Defendants Csx Corporation And employees George Mullis and William Tommy Moore, Owner of Jarrells Recycling entered into a conspiracy with meeting of the minds and deliberat indifference, To Plaintiffs Rights to create a Adtifice, of a crime , George Mullis in Aptil 19. 2007 Without lawful Authority, entered into Jarrells scrap yard Possing as a police office, Micheal Jarrell without lawful Authority Provided Personal information on Plaintiff, Csx Polic officer William Moore, and Michael Jarrell from 19, April 2007 to 30 April 2007 Created reports inorder to show a Artific, of a crime.By mail and or fax Machines.

**26) CLAIM VII Ading and Abetting a Forcible Kidnapping**

By Color of Authority to Deny Constitutional Rights

Claim #7 chatham County Public Defender William Edwards, June Fogle Attorneys with full knowledge of the law entered into a conspiracy along with Chatham County District Attorney Larry Chisolm, Isabel Pouley, Anna Gaurdinna, To maintain The unlawful confindment of Defendant With the intent, Deliberate Indifference To Plaintiffs Rights from 2 May 2007 to !3 June 2007.

**27) CLAIM VIII Ading and Abetting a Forcible Kidnapping**

By Color of Authority extortion cruel and unusual punishment

Claim #8 Defendant Attorneys, each an all **conspired** together with csx employees, Moore, Mullis Zeigler, Shipes and north fork southern employee A. Pauley, in order to conceal felonies committed by false charges against Defendant, on June 13, 2008 Defendants accomplished the object of their design and intent; by corusion and intimation and forced Plaintiff in and by a scam trial to testify against himself.

**28) Claim IX Denial of Equal Protection under the Law**

Obstruction of Judistice, Denial of Plaintiffs Constitutionally Guarnteed Rights and Protections

Claim # 9 Defendant Sworn Law Enforcement Officers, Sworn Officers Of the Court, having superior Knowledge of the Law and high standard of the law as confirmed by their oath of office in conspiracy to deprive and deny Plaintiff, of his rights each knowing and deliberately

Caused damages, failed and neglected to investagate the charges brought by prominent citizens. The defendants denied Plaintiff Equal Protection and Application of the Law without fear or favor to rich or poor contrary to their Oaths of Office and the Constitutions, Titile 42 U.S.C 1986

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**SUMMARY**

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29)\_ Plaintiff requests trial by jury in this case in order to give justice to the gravity of the



reckless disregard for Rights of the People guaranteed by the Constitution of the United States, the Georgia Constitution, the Bill of Rights and the Law of the Land, which is Due Process of Law. Most of Defendants enumerated herein are Sworn Public Officers Of the Court, Sworn Officers of the Law.

30) The acts and actions committed by these Defendants, in **conspiracy**, shocks the Conscience and presents a continuing danger to all Citizens residing, or passing through, Chatham County Georgia. The ultimate fact that Defendants are operating in **Color of Authority and under Color of State Law** and in de facto positions of power and prestige aggravates the already secured Rights to the People by our Founding Fathers and guaranteed in writing by the Constitution of the United States and the Bill of Rights.

31) Plaintiff believes, and can prove beyond any shadow of doubt, that defendants enumerated herein are involved in a **major conspiracy** that has caused grave Deprivations of Plaintiff's Civil Liberties and protected Rights.

### **DAMAGES**

32) The facts enumerated one (1) through thirty one (31) are incorporated herein as if fully Reproduced. Plaintiff states with reasonable expectation, that Defendants unreasonable and deliberate actions as enumerated herein, have wrongfully deprived Plaintiff of 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> Amendment Rights as enumerated in the Bill of Rights to the Constitution for the United States of America. Said deprivations, being under Color of LAW, causing damage to Plaintiff.

Wherefore, Plaintiff requests the following relief:

Said deprivation, being under Color of Law, and in conspiracy, causing damage to Plaintiff.

33) Wherefore Plaintiff demands Compensatory Damages severally against all Defendants herein, in the amount of Ten Million Dollars ( 10, 000,000.00), per Defendant, per cause Of action.

34) Plaintiff herein demands exemplary as a deterrent to future damages in the amount of Ten Million Dollars ( 10,000,000.00) per each cause of action enumerated herein against All Defendants severally.

35) Plaintiff demands reparation for costs and reimbursement of all out of pocket expenses incurred as a result of the filing of this action.

36) Plaintiff request relief pursuant to criminal allegations brought herein.

37) Plaintiff further seeks any other relief which the court of proper jurisdiction deems appropriate under the circumstances and the Constitutional controversy raised herein.

JURY DEMAND


38) Trial by jury according to the Seventh Amendment known as the Bill of Rights  
DEMANDED HEREIN

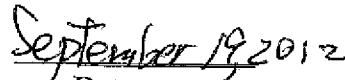
Right to Amend

Plaintiff herein reserves the right to Amend Complaint when needed.

Pursuant to 28 U.S.C.A. 1745

(I) and executed "without the United States" I affirm under penalty of perjury under  
Laws of the United States of America that the foregoing is true and correct, to the best  
My belief and informed knowledge.

  
Pro Se

  
Date

David Richard Sutherland  
P. O. Box 7222  
Garden City Georgia 31418